

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

APOLLO D. WADE,

Petitioner,

Case No.: 05-CV-74702

v.

SHERRY L. BURT,

Respondent.

ORDER GRANTING PETITIONER'S MOTION FOR ENLARGEMENT OF TIME

On December 12, 2005, Petitioner Apollo D. Wade filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On June 26, 2006, Respondent filed an "Answer in Opposition to Petition for Writ of Habeas Corpus." Now before the court is Petitioner's "Motion for Enlargement of Time in Which to File Traverse in Opposition to Respondent's Motion for Summary Judgment and Dismissal of Petition for Writ of Habeas Corpus."¹ After careful consideration, the court determines that Petitioner's motion should be granted.

¹ Although the title of Petitioner's motion indicates that he seeks an enlargement of time to respond to Respondent's motion for summary judgment, in the body of his motion he seeks an enlargement of time to respond to Respondent's "Answer in Opposition." Respondent filed a response to Petitioner's petition, not a motion for summary judgment. Therefore, the court construes the motion as seeking an enlargement of time to respond to Respondent's "Answer in Opposition."

Accordingly, Petitioner's Motion for Enlargement of Time [Dkt. #8] is GRANTED.
The time for filing a reply brief to Respondent's Answer is hereby extended to
September 5, 2006.

IT IS SO ORDERED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: July 31, 2006

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, July 31, 2006, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522